

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

EDWARD JAMES WILLARD,

Petitioner,

No. CIV S-04-0743 FCD DAD P

vs.

D. L. RUNNELS,

Respondent.

ORDER

Petitioner is a state prisoner proceeding pro se with this application for a writ of habeas corpus pursuant to 28 U.S.C. § 2254. Petitioner challenges the failure of the Board of Prison Terms (Board) to find him suitable for parole at parole suitability hearings held on June 13, 2002, and July 11, 2003. One of petitioner's claims is that his rights pursuant to the Eighth and Fourteenth Amendments were violated because the Board disregarded regulations ensuring fair suitability hearings and instead operated under a policy that all murderers be found unsuitable for parole. Good cause appearing, respondent will be directed to inform the court and to provide evidence of whether petitioner has had any parole suitability hearings subsequent to July 11, 2003, and the outcome of any such hearings.

Accordingly, IT IS HEREBY ORDERED that, within ten days from the date of this order, respondent shall inform the court and provide evidence of whether petitioner has had

any parole suitability hearings subsequent to July 11, 2003, and the outcome of any such hearings.

DATED: January 9, 2008.



DALE A. DROZD
UNITED STATES MAGISTRATE JUDGE

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